

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

OCT 10 2013

JULIA C. DUDLEY, CLERK
BY: *H. McDonald*
DEPUTY CLERK

EARL MATTHEW BOATRIGHT,
Plaintiff,

v.

STEVEN CLEAR, et al.,
Defendants.

Civil Action No. 7:13-cv-00422

ORDER

By: Hon. Jackson L. Kiser
Senior United States District Judge

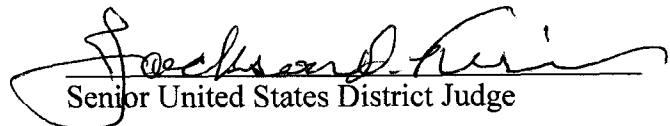
In accordance with the written Memorandum Opinion entered this day, it is hereby

ORDERED

that the Complaint is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915A(b)(1); Plaintiff's motion to proceed in forma pauperis is **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to Plaintiff.

ENTER: This 10th day of October, 2013.


Senior United States District Judge